



PATENT

Attorney Docket No.: A-67207/DJB/RMS/DCF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WALT et al.

Serial No. 08/944,850

Filed: October 6, 1997

For: SELF-ENCODING FIBER OPTIC
SENSOR

) Examiner: Hannaher, C.

) Group Art Unit: 2878

*15/Suppl.
IDS
Sherson
3-16-00*

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

Dated: Feb 11, 2000

Signed: Suzan Lindstrom

SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner
for Patents
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449. Copies of the references are enclosed. A fee under 37 C.F.R. §1.17(p) is also enclosed.

02/16/2000 MARMOL 00000007 08944850

02 FC:126

240.00 OP

Serial No.: 08/944,850

Filed: October 6, 1997

None of the foregoing references are believed to disclose the invention as claimed.

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-67207/DJB/RMS/DCF).

An additional copy of this Information Disclosure Statement is enclosed.

Respectfully submitted,

FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT

Dated: February 11, 2000

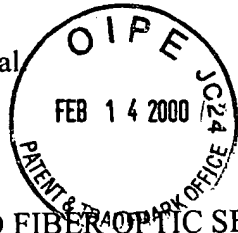
David C. Silva Reg. No.: 44,685
for Robin M. Silva
Reg. No. 38,304

Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989
1009370

contents, the contain

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David R. Walt, et al
Serial No.: 08/944,850
Filed: October 6, 1997
For: SELF-ENCODED FIBER OPTIC SENSOR



Group Art Unit: 1313
Examiner: Unknown
Docket No.: TU-97-01

EXPRESS MAIL Mailing Label No.: EJ478962617US
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231,
on 19 January 1999 R. Dennis Creehan
Date R. Dennis Creehan

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

EJ478962617US

Sir:

In the above-referenced patent application, the Applicant respectfully submits the enclosed Information Disclosure Statement with copies of the cited references under 37 C.F.R. 1.97(b). The Applicant respectfully requests that the information disclosed herein be made of record in this application.

Respectfully submitted,

19 January 1999
Date

R. Dennis Creehan
R. Dennis Creehan
Agent for the Applicant
Registration No. 39,950
P.O. Box 750070
Arlington Heights, MA 02475-0070
Telephone: 617-797-2627

TOE - JOURNAL RUCM

Complete If Known

(use as many sheets as necessary)

Sheet	1	of	4
-------	---	----	---

Application Number	08/944,850
Filing Date	October 6, 1997
First Named Inventor	D.R. Walt
Group Art Unit	1313
Examiner Name	Not Assigned
Attorney Docket Number	TU97-01

U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (If known)			
	AA	5600894		Pinkel, et al.	11/25/97	
	AB	5496997		Pope	3/5/96	
	AC	5573909		Singer, et al.	11/12/96	
	AD	4499052		Fulwyer	2/12/85	
	AE	5028545		Soini	7/2/91	
	AF	5252494		Walt	10/12/93	
	AG	5114864		Walt	5/19/92	
	AH	5633972		Walt, et al.	5/27/97	
	AI	5512490		Walt, et al.	4/30/96	
	AJ	5320814		Walt, et al.	6/14/94	
	AK	5298741		Walt, et al.	3/29/94	
	AL	5250264		Walt, et al.	10/5/93	
	AM	5254477		Walt	10/19/93	
	AN	5244813		Walt, et al.	9/14/93	
	AO	5244636		Walt, et al.	9/14/93	
	AP	5143853		Walt, et al.	9/1/92	
	AQ	4822746		Walt	4/18/89	
	AR	5002867		Macevitz	3/26/91	
	AS	5814524		Walt, et al.	9/29/98	
	AT	5105305		Betzig, et al.	4/14/92	

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner
Signature

Date Considered	
-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete If Known	
				Application Number	08/944,850
				Filing Date	October 6, 1997
				First Named Inventor	D.R. Walt
				Group Art Unit	1313
				Examiner Name	Not Assigned
				Attorney Docket Number	TU97-01
Sheet	2	of	4		

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/088 (10-96)
Applicable through 10/31/99. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 3 of 4

Complete if Known

Application Number	08/944,850
Filing Date	October 6, 1997
First Named Inventor	D.R. Walt
Group Art Unit	1313
Examiner Name	Not Assigned
Attorney Docket Number	TU97-01

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issu number(s), publisher, city and/or country where published.	T ²
	LA	E.J.A. Pope, "Fiber Optic Chemical Microsensors Employing Optically Active Silica Microspheres", SPIE, v2388,p245-256 (1995)	
	LB	J.I. Peterson, et al., "Fiber Optic pH Probe for Physiological Use", Anal. Chem., v52, no 6, May 1980, p864-869	
	LC	Anonymous, "Fluorescent Microspheres", Tech Note 19, Bang Laboratories, (Fishers, IN) February 1997	
	LD	L.B. Bangs, "Immunological Applications of Microspheres", The Latex Course, Bangs Laboratories (Carmel, IN) April 1996	
	LE	Anonymous, "Microsphere Selection Guide", Bangs Laboratories (Fishers, IN) September 1998	
	LF	J.A. Ferguson, et al., "A Fiber-Optic DNA Biosensor Microarray for the Analysis of Gene Expression", Nature Biotechnology, v. 14, pp 1681-1684 (December 1996)	
	LG	B.G. Healey, et al., "Fiber Optic DNA Sensor Array Capable of Detecting Point Mutations", Analytical Biochemistry, v. 251, no. 2, pp270-279 (1997)	
	LH	B.G. Healey, et al., "Development of a Penicillin Biosensor Using a Single Optical Imaging Fiber", SPIE Proc., v. 2388, pp 568-573 (1995)	
	LI	B.G. Healey, et al., "Improved Fiber-Optic Chemical Sensor for Penicillin, Anal. Chem, v. 67, no. 24, pp 4471-4476 (December 15, 1995)	
	LJ	D.R. Walt, "Fiber-Optic Sensors for Continuous Clinical Monitoring", Proc. IEEE, v.80, no.6, pp903-911 (June 1992)	
	LK	N.J.C. Strachan, et al., "A Rapid General Method for the Identification of PCR Products Using a Fibre-Optic Biosensor and Its Application to the Detection of Listeria", Ltrs. Applied Microbiology, v. 21, pp 5-9 (1995)	

Examiner Signature

Date Considered

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

4

of

4

Complete if Known

Application Number	08/944,850
Filing Date	October 6, 1997
First Named Inventor	D.R. Walt
Group Art Unit	1313
Examiner Name	Not Assigned
Attorney Docket Number	TU97-01

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	LL	P.A.E. Piunno, et al., "Fiber-Optic DNA Sensor for Fluorometric Nucleic Acid Determination", Anal. Chem., v. 67, pp 2635-2643 (1995)	
	LM	A.P. Abel, et al., "Fiber Optic Evanescent Wave Biosensor for the Detection of Oligonucleotides", Anal. Chem., v. 68, no. 17, pp 2905-2912 (September 1, 1996)	
	LN	P. Pantano, et al., "Ordered Nanowell Arrays", Chem. Mater., v. 8, no. 12, pp 2832-2835 (1996)	
	LO	K.L. Michael, et al., "Fabrication of Micro- and Nanostructures Using Optical Imaging Fibers and there Use as Chemical Sensors", Proc. 3rd Intl. Symp., Microstructures and Microfabricated Systems, ed. P.J. Hesketh, et al., v. 97-5, Electrochem. Soc., pp 152-157 (August 1997)	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.